IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.67155-M of 2006

DATE OF DECISION:14.12.2006

Sudha Singh & Ors. .....Petitioners

Versus

State of Punjab & Anr. .....Respondents

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Navdeep Singh, Advocate
for the petitioners.

Shri N.S. Gill, AAG, Punjab.

Shri SS Hira, Advocate
for Shri Jagjit Singh, Advocate
for respondent No.2.

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The Petitioners apprehending their arrest in a non-bailable offence in complaint titled as Beant Singh Versus Sudha Singh and others, pending in the court of Judicial Magistrate Ist Class, Kapurthala under Sections 302/404/148/149/386/120-B IPC, have filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that on the same allegations, in the year 2003, FIR No. 35 was registered against the petitioners under Sections 306,149 IPC at Police Station Bholath, Kapurthala, in which they were granted anticipatory bail. After the investigation, all the allegations levelled by the complainant were found to be false and the police submitted cancellation report. Subsequently, on the same allegations, the aforesaid complaint was filed, in which the petitioners

have been summoned. Counsel contends that the petitioners were not involved in the case and even the complainant has improved his version by filing the complaint and all the allegations are false.

Counsel for the petitioners contends that in view of the order dated 31.10.2006, the petitioners have appeared before the trial Court and have furnished their regular bail bonds, which have been accepted and attested and since they they are regularly appearing before the trial Court. This fact has not been disputed by the State Counsel.

In view of the above, the interim bail, granted vide order dated 31.10.2006 is made absolute.

Disposed of accordingly.

December 14, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**